Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: **LU/157/13/**

LOCATION: 52 St. Marys Close
Littlehampton
West Sussex

PROPOSAL: Two storey front extension with canopy porch

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension will project approximately 2 metres outwards from the existing dwelling frontage and is approximately 4.1 metres in width. Height to the ridge line of the roof will be approximately 6.95 metres. A side dormer is also shown on the plans, this may be considered permitted development but only if the window it contains is obscure glazed and non-opening other than where over 1.7 metres above floor level. The window shown has an opening fan at 1.5 metres above floor level and, therefore, planning permission is required.
SITE AREA	Approximately 435 square metres.
TOPOGRAPHY	Slight downward slope from west to east.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low brick walling to the front of the dwelling. Additional hedging on the southern elevation.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling which has brown brick elevation walls and a tiled, hipped roof which includes a catslide slope over the garage on the southern elevation. The dwelling frontage is stepped with the northern side recessed by approximately 1.8 metres.
CHARACTER OF LOCALITY	The site is located on a residential road that is bordered by a fairly linear arrangement of two-storey semi-detached and detached residential dwelling that are set back from the road, with small gaps maintained between individual buildings.

RELEVANT SITE HISTORY

LU/170/06/	Rear of property conservatory erection.	Approve Conditionaly 30-06-2006

LU/252/74	2 Storey extension at rear	Refused 15-08-1974
LU/323/74	Kitchen extension	Approve Conditionaly 25-09-1974

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposed extension will alter the appearance of the dwelling frontage due to its positioning. It is to be attached to a recessed part of the dwelling frontage and, therefore, it will project a minimal distance forward of the existing built area of the site. Given this, it is not considered that it will compromise the linear arrangement of dwellings in the surrounding area and the rhythm and flow of the street will be maintained. Further, the hipped roof design of the extension will provide a strong visual tie in with features on the existing dwelling frontage, and seen on neighbouring dwellings, ensuring that the extension does not appear divorced from its surroundings.

It is considered that the extension relates sympathetically towards the existing dwelling in terms of design and scale. The ridge height of the roof over the extension is stepped down from that of he main roof, ensuring that a visually subservient relationship towards the host dwelling is maintained. The eaves height of the extension roof matches that of the existing roofing, providing a smooth visual transition between existing and new features. The hipped roof design reflects that of the existing roof and replicates the existing hipped roof projection on the southern side of the dwelling frontage, this will help create a symmetrical appearance and strengthen visual integration.

With regards to the amenities of neighbouring resident, the proposed extension will be positioned close to the northern site boundary. However, it will continue an existing two-storey high wall and will run alongside the driveway of the neighbouring property, No. 50 St Mary's Close. Windows at the neighbouring property are positioned a sufficient distance away from the extension to prevent undue levels of overshadowing whilst the increase in the length of the existing two-storey wall of th northern elevation is considered to be minimal and not to a degree that would result in it appearing oppressive and overbearing towards neighbours. The extension will contain a small north facing ground floor window and side dormer window that will both look towards the boundary wall/roof and will not offer any intrusive views of the neighbouring property. Other windows look towards the street and, therefore, will not offer invasive views.

It is therefore recommended that the application is approved, subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal it has been determined that its approval would result in a neutral impact upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans:-

284.13.01;
284.13.02;
284.13.03;
284.13.04;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.